UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

DEC 2 1 2015

REPLY TO THE ATTENTION OF:
WC-15J

CERTIFIED MAIL 7009 1680 0000 7660 9708
RETURN RECEIPT REQUESTED

Ex. 6 (Personal Privacy)
Facility Owner, Breese Site Hog Farm
Ex. 6 (Personal Privacy)

Subject: **November 6, 2015 Compliance Evaluation Inspection**

Dear Ex. 6 (Personal Privacy)

Enclosed, please find a copy of the U.S. Environmental Protection Agency Inspection Report for the Concentrated Animal Feeding Operation inspection conducted at Breese Site Hog Farm on November 6, 2015. The purpose of the inspection was to evaluate and document compliance of the Breese Site Hog Farm with the Clean Water Act and the Administrative Order, docket number V-W-10-AO-09.

Should you find anything in the report that you disagree with, please provide a detailed response within thirty (30) calendar days.

As you discussed with Joan Rogers in a phone conversation following this inspection, you agreed to provide photo documentation of the reshaping of the east berm of the East North Lagoon by December 31, 2015. If you are not able to provide this information by that time, please contact Joan Rogers of my staff at (312) 886-2785.

Sincerely,

Ryan J. Bahr, Chief, Section 2
Water Enforcement and Compliance Assurance Branch

Enclosures

cc: Joe Stitely, IEPA
Bruce Rodely, IEPA

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CWA COMPLIANCE EVALUATION INSPECTION REPORT
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION 5

Purpose:
Compliance Evaluation Inspection

Facility:
Ex. 6 (Personal Privacy) Pork – Breese Site Location
Ex. 6 (Personal Privacy)
Clinton County
Ex. 6 (Personal Privacy)

NPDES Permit Number:
N/A

Date of Inspection:
November 6, 2015

EPA Representatives:

Joan Rogers, Environmental Scientist Rogers.joan@epa.gov	312-886-2785
John Jurevis, Environmental Engineer Jurevis.john@epa.gov	312-886-1446

State Representatives:

Bruce Rodely, Agricultural Engineer, IEPA bruce.rodely@illinois.gov	618-993-7200
Brian Rodely, Environmental Protection Engineer, IEPA Brian.rodely@illinois.gov	618-993-7200

Facility Representatives:
Ex. 6 (Personal Privacy) Facility Manager

Report Prepared by:
Joan Rogers, Environmental Scientist

Report Date:
December 11, 2015

Inspector Signature Joan Rogers

1. BACKGROUND

The purpose of this report is to describe, evaluate and document the Ex. 6 (Personal Privacy) Pork – Breese Site facility's compliance with the Clean Water Act (CWA) at its Breese, Illinois facility on November 6, 2015. This inspection was performed pursuant to Section 308(a) of the Federal Water Pollution Control Act, as amended.

The Breese Site facility of Ex. 6 (Personal Privacy) Pork is a large swine finishing operation. Currently the facility has approximately 4920 hogs greater than 55 pounds. The capacity is 5000 hogs. It is considered a large CAFO due to the number of hogs greater than 55 pounds confined at the site.

The facility is bisected by a wetland and an unnamed tributary to Shoal Creek. Surface water from the south side of the tributary would flow to the north and surface flow from the north side of the facility would flow to the south. Shoal Creek is a perennial stream which flows to the Kaskaskia River. The Kaskaskia River is a Traditional Navigable Water which flows to the Mississippi River.

EPA issued an Administrative Order (AO) to Ex. 6 (Personal Privacy) on June 10, 2010 for discharges of manure and process wastewater from the production area to the unnamed tributary of Shoal Creek. Since that time, Ex. 6 (Personal Privacy) has made improvements at the facility and had a Comprehensive Nutrient Management Plan (CNMP) developed, but has not completed the application for a National Pollutant Discharge Elimination System (NPDES) permit, which was a condition of the AO. Ex. 6 (Personal Privacy) has stated that he intends to sell this facility within the next year.

2. SITE INSPECTION

Table 1: Site Entry

Arrival Time:	11:45 A.M.
Temperature:	65°F
Precipitation:	Approximately ½ an inch the previous night and into the early morning.
Presented credentials?	Yes
Credentials presented to whom and at what time?	Ex. 6 (Personal Privacy)
EPA vehicle parked in approved location?	Yes
Location where EPA vehicle was parked?	South of the Nursery Building
Disposable boots worn?	Yes
Other bio-security measures taken:	Vehicle washed after previous inspection and no swine inspections in more than 1 week.

2.1 Records Review

EPA did not review records onsite. EPA is in possession of the CNMP for this facility and there are no records maintained at the facility. [redacted] was not able to join the inspection team, but gave permission for access and instructed [redacted] to accompany the team. No checklist was used as EPA has been to this facility a number of times and is familiar with the operation. No information was claimed as Confidential Business Information. Much of the information in the Records Review tables came from the facility's CNMP.

Table 3: Facility Description

Type of Animal	Number of Animals	Capacity	Type of Confinement
Swine > 55 pounds	4920	5000	Barn
Minimum Number of Animals in previous 5 years:			5000
Maximum Number of Animals in previous 5 years:			4900
Number of Animals that are stabled/confined and/or fed/maintained for 45 days or more in previous 12 months:			4900-5000
Amount of Liquid Manure Generated per year:			2,593,615 gallons
Amount of Solid Manure Generated per year:			None
(Illinois Only) Name of Certified Livestock Manager for facility: (if 300 animal units or greater):			[redacted]
(Illinois Only) If 1000 < AU < 5000 is a general waste management plan maintained at the facility?			Yes
(Illinois Only) If AU > 5000 has a general waste management plan been submitted to the IDOA?			N/A
Does the facility have an NPDES Permit?			No
SIC or NAICS code:			0211
CAFO Designation Date (If a designated CAFO)			Not designated, defined CAFO.
CAFO Designation Reason (If a designated CAFO)			N/A
Do animals have direct access to WOUS?			No
Are crops, vegetation, forage growth, or post harvest residues sustained in the normal growing season over any portion of the lot or facility where animals are kept?			No
What is the area (acres) of the production area?			17
What is the area (acres) of the pasture?			N/A
How many employees (not counting family members)?			1
Other facilities under common ownership (name and address):			
Walshville (Home) Site, Walshville, IL			

Table 4: Livestock Waste Storage

Type of Storage	Storage Capacity	Type of Liner	Depth Markers Present	Last Time Waste was Removed	Amount of Waste Removed	Days of Storage
Holding Pond – Complex Lagoon	1.5 million gallons	Clay	No	Fall 2015	Unknown	Total of all lagoons and below barn pits is 931 days.
Holding Pond – 5-6 Lagoon	1.75 million gallons	Clay	No	Fall 2015	Unknown	
Holding Pond - West North Lagoon	2 million gallons	Clay	No	Unknown	Unknown	
Holding Pond - East North Lagoon	2 million gallons	Clay	No	Unknown	Unknown	
Records at site of storage structure design?				No		
Is manure stored for the short term? If yes, describe where it is stored, how it is drained and where it drains to.				No		
Are records kept of the level of manure in the storage structures?				No		
When was the last time a storage structure was emptied, either partially or completely?				Fall 2015		
What amount of manure or process wastewater was removed the last time the storage structure was emptied, either partially or completely?				Unknown		
Do the facility personnel inspect and keep records of all diversion devices?				No		
Do the facility personnel inspect and keep records of all impoundments?				No		
Do the facility personnel inspect and keep records of all the water lines?				No		

Do the facility personnel perform routine visual inspections and keep records of the production area?	Records not kept of any observations.
Does the waste storage system have a managed outfall or discharge point? If yes, provide a description of the outfall and a description of the area receiving the discharge.	No
Has the facility had any documented discharges of livestock waste to surface water in the past year?	No
Are there safety devices installed around any manure storage ponds? (Barriers at the end of manure push off platforms, fences around pond, signage.)	No

Table 5: Livestock Waste Management

Describe the way manure is collected and disposed of at the facility:	
Manure is stored in under barn pits until a plug is pulled or a pump is turned on which allows the manure to flow to the holding pond nearest the barn. Manure is held in the holding pond until it is land applied.	
Describe the way used bedding is collected and disposed of at the facility:	
No bedding used.	
Are mortality records kept?	Unknown
Describe the way mortalities are managed at the facility:	
Rendered	
What type of method is used to provide drinking water for the animals?	Nipple waters in the barns.
Describe the way spilled drinking water is collected and disposed of at the facility:	
Managed with the manure.	
Describe the way mist cooling water is collected and disposed of at the facility:	
No misting used.	
Describe how chemicals are stored and how used or spilled chemicals are collected and disposed of at the facility:	
No chemicals used.	
Describe the way water that has been used to wash/flush barns is collected and disposed of at the facility:	
Managed with the manure.	
Describe where water comes from that is used to clean and/or flush. (Wells, city, etc.)	

Well water.
Describe the way feed is contained and how runoff from feed is collected and disposed of at the facility:
Feed is stored in bulk bins outside the barns. Spilled feed is swept up and disposed of.
If a dairy, describe how process wastewater from the plate cooler water is collected and disposed of at the facility:
Not a dairy.

Table 6: Land Application and Disposal of Manure and Process Wastewater

Ex. 6 (Personal Privacy) was not available during this inspection to ask these questions.

Table 7: Receiving Surface Waters

Describe the surface flow pathways:	
The facility is bisected by a wetland and an unnamed tributary to Shoal Creek. Surface water from the south side of the tributary would flow to the north and surface flow from the north side of the facility would flow to the south. Shoal Creek is a perennial stream which flows to the Kaskaskia River. The Kaskaskia River is a Traditional Navigable Water which flows to the Mississippi River.	
How many months out of the year is there flow in the nearest surface water pathway:	Most of the year
Are there any storm water pathways entering the facility?	No
Are there any clean water ponds on site?	Yes
What is the name of the first waterway that is identified as a Traditional Navigable Water (TNW) for surface flow from the facility?	Kaskaskia River
Is the surface water pathway nearest to the facility considered to be ephemeral, intermittent or perennial?	Intermittent
Has the surface water pathway nearest to the facility been assessed for water quality?	No

Table 8: Nutrient Management Plan

NMP on site?	No
Date NMP Submitted:	March 28, 2013
Planner Name/Company:	Frank & West Environmental Engineers
Date that the NMP was last updated:	March 28, 2013

Storage Description:	Included
Amount of Manure Generated:	2.59 million gallons/year
Capacity of Storage:	931 days
Duration of Storage:	6.62 million gallons
Amount of Spreadable Land:	Manure is sold to others
Mortality Management Plan:	Rendering
Clean Water Diversion System:	Included in Section 1 Page 4
Direct Contact Prevention Plan:	All animals confined in barns
Chemical Management Plan:	No toxic chemicals as per Section 3.3
Conservation Practices:	All waste is sold to others
Manure Testing Protocols:	Protocols are included
Soil Testing Protocols:	N/A
Land Application Protocols:	N/A
Additional NMP comments:	None
Does the NMP reflect the current operational characteristics?	Yes
Are the number of acres owned/leased consistent with what is listed in the NMP?	Yes

Table 9: Land Application Records (details of the records reviewed)
EPA did not review any land application records.

Table 10: Facility Records (details of the records reviewed)
EPA did not review any facility records.

Table 11: NPDES Permit
Facility does not have an NPDES permit.

2.2 Walkthrough of the Facility

The attached photolog (ATTACHMENT A) has documentation of the walkthrough of the facility.

2.3 Closing Conference and Post-Inspection

Table 12: Post Walk-Through

Were specific "Potential Violations" discussed with facility personnel?	Yes
Were specific "Areas of Concern" discussed with facility personnel?	Yes
Who were the Potential Violations or Areas of Concern discussed with?	
Mr. Brock Ohnesorge	
Compliance assistance materials given to facility personnel:	
None. They were given to the owner previously.	

Exit Time:	Approx. 2 P.M.
Disposable Boots Left at Facility?	Yes
Vehicle Washed after leaving facility?	Yes
Date and Time that vehicle was washed:	11/7/15 Approx. 4 P.M.

Table 13: Waterway Documentation

List the pathway taken by EPA inspectors to document the waterway at the facility.
EPA observed the wetland area between the barns from the facility barns.

Table 14a: Sampling Information
Samples were not taken.

3. POTENTIAL VIOLATIONS

According to Section 301(a) of the Clean Water Act, it is a violation to discharge pollutants from a CAFO to waters of the United States without a permit. EPA observed potential discharges in the following location:

1. There was evidence of possible discharges of wastewater from the east side of the East North Lagoon. Channelization on the berm indicated that there had been concentrated flow down the side of the berm.

4. AREAS OF CONCERN

EPA observed these areas of concern whereby pollutants have the potential to reach waters of the United States:

1. There were tree trunks laying on the berm and in the East North Lagoon.
2. There was only approximately 6" of freeboard in the East North Lagoon.

5. LIST OF ATTACHMENTS

A) Photolog with documentation of walkthrough of the facility.
B) Aerial photograph of Name of Facility with buildings, waterways and discharge pathways labeled.

ATTACHMENT A

Ex. 6 (Personal Privacy) Pork - Breese Site Location
Photolog and Walkthrough Documentation
EPA Inspection November 6, 2015
All photos taken by John Jurevis, Environmental Engineer, U.S. EPA
Camera: Ricoh WG-1 GPS

EPA began the walkthrough at the south side of Barns #2 and #3 and walked east and between Barns #3 and #4. EPA observed the cleanout pipes that are all along the ground above the buried manure line and the storm water pipes that direct storm water from north of Barn #3 to the south and west of Barn #2 to the east. EPA then walked north along the east side of the Complex Lagoon and then west along the north side. EPA then walked to the east side of Barn #1 and then completed the walk around the Complex Lagoon on its west and south sides.

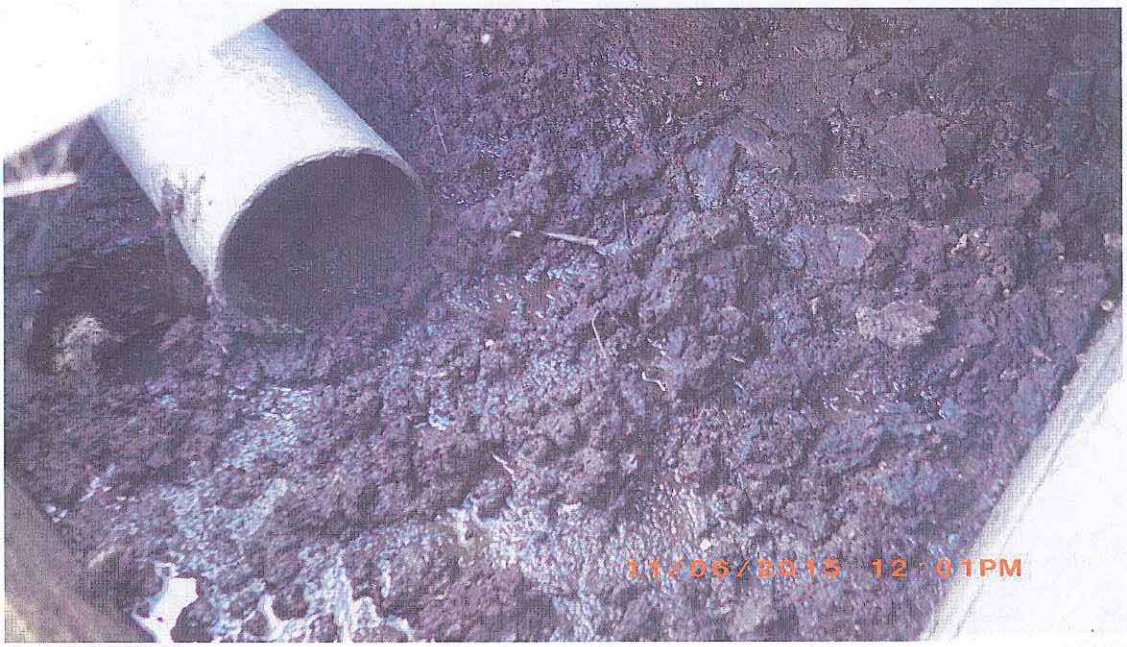
The pit below Barn #2 is emptied with a pump in the first cleanout because the slope is not great enough for it to flow via gravity to the east. The manure is pumped through the west side of Barn #3 directly to the Complex Lagoon.

The south half of Barn #3 flows to the south and to the manure line which flows to the east and then takes a 90 degree turn to the north and flows to the Complex Lagoon. The north half of Barn #3 flows directly to the Complex Lagoon.

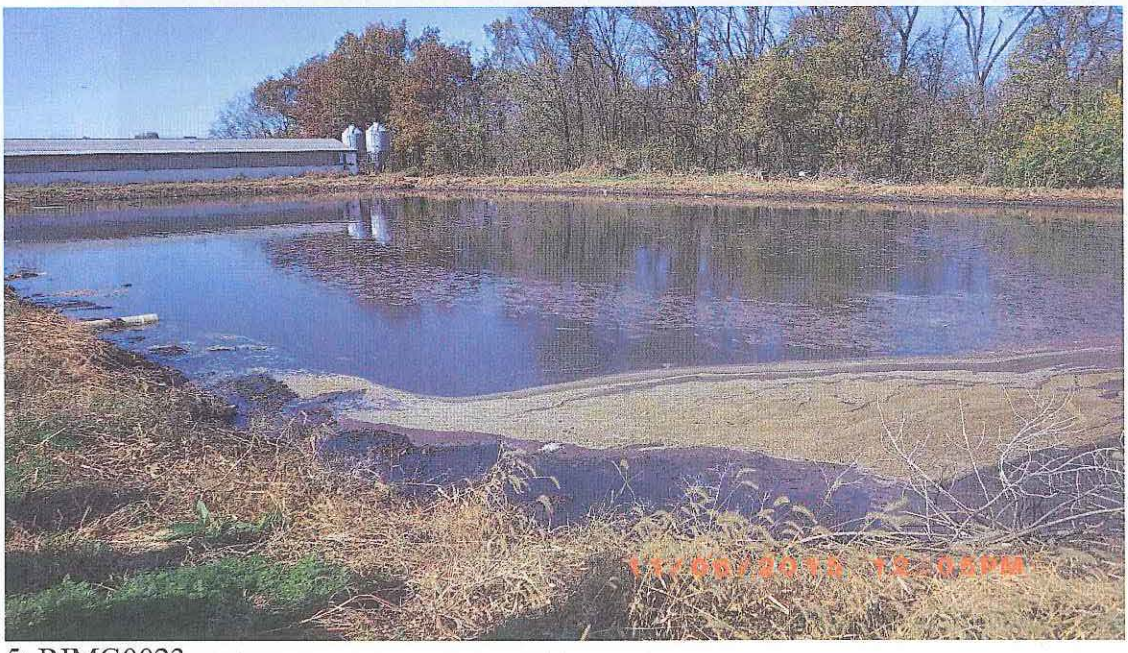
1: RIMG0019
Description: Looking down into the cleanout pipe east of Barn #2. Manure level indicates that the manure in the pit below Barn #2 is about half full. A pump in this cleanout pumps the manure from Barn #2 through Barn #3 and directly to the Complex Lagoon.
Location: East of Barn #2
Camera Direction: Down
Date/Time: November 6, 2015 11:57 A.M.

2: RIMG0020
Description: Storm water pipes in storm water manhole.
Location: East of Barn #2.
Camera Direction: Down
Date/Time: November 6, 2015 11:58 A.M.

3: RIMG0021
Description: There is still manure in the pit below Barn #4 even though this barn is not used to confine hogs anymore.
Location: East side of Barn #4
Camera Direction: West
Date/Time: November 6, 2015 12:01 A.M.



4: RIMG0022
Description: Manure pipe in eastmost cleanout structure south of Barn #3. Manure is just up to pipe. Manure piping takes a 90 degree turn to the north here.
Location: Southeast corner of Barn #3.
Camera Direction: Down
Date/Time: November 6, 2015 12:01 P.M.



5: RIMG0023
Description: Complex Lagoon has approximately 3' of freeboard.
Location: North of Barn #3.
Camera Direction: Northwest
Date/Time: November 6, 2015 12:05 P.M.

6: RIMG0024
Description: Piping used to transfer manure from 5-6 Lagoon to Complex Lagoon.
Location: East side of Complex Lagoon.
Camera Direction: East
Date/Time: November 6, 2015 12:07 P.M.

7: RIMG0025
Description: Northwest corner of Complex Lagoon where pipe from Barn #1 discharges to lagoon.
Location: West side of Complex Lagoon.
Camera Direction: North
Date/Time: November 6, 2015 12:10 P.M.

8: RIMG0026
Description: Broken water line in front yard west of Barn #1.
Location: West of Barn #1.
Camera Direction: West
Date/Time: November 6, 2015 12:14 P.M.

9: RIMG0027
Description: Pipe from Barn #2 discharges to the Complex Lagoon after being piped through Barn #3.
Location: Southwest corner of Complex Lagoon.
Camera Direction: Northeast
Date/Time: November 6, 2015 12:18 P.M.

10: RIMG0028
Description: Piping from pit under Barn #2 comes out on north side of Barn #3.
Location: Southwest corner of Complex Lagoon.
Camera Direction: Southwest
Date/Time: November 6, 2015 12;18 P.M.

11: RIMG0029
Description: Pipe from north side of Barn #3 discharges to the Complex Lagoon.
Location: North of Barn #3.
Camera Direction: Down and to west
Date/Time: November 6, 2015 12:20 P.M.

EPA then walked east to observe Barns #5 and #6 and the 5-6 Lagoon. EPA walked north between Barn #6 and the lagoon and then south between Barns #5 and #6. EPA noted that the breathers from these two barns were capped, which prevents storm water from entering the pits. Barn #6 is not used to confine hogs anymore. There was approximately 4' of freeboard in the 5-6 Lagoon.

12: RIMG0030
Description: Manure pipe for Barn #5 goes directly to the 5-6 Lagoon at its northwest corner.
Location: West side of 5-6 Lagoon.
Camera Direction: North
Date/Time: November 6, 2015 12:26 P.M.

13: RIMG0031
Description: Manhole for manure pipe from Barn #5.
Location: Northeast corner of Barn #6.
Camera Direction: Down
Date/Time: November 6, 2015 12:28 P.M.

EPA then drove to the north side of the facility to observe Barn #7 and #8 and the two lagoons for this side of the facility, the West North Lagoon and the East North Lagoon. The East North Lagoon is not used to hold manure anymore, but it has never been properly cleaned out, so it still would contain nutrients from animal waste.

Barn #7 was partially destroyed in a tornado a few years ago and is no longer used for animal confinement. The roof is open to the elements and the pipe to the lagoon is capped to prevent the storm water which enters the pit from flowing into the lagoon.

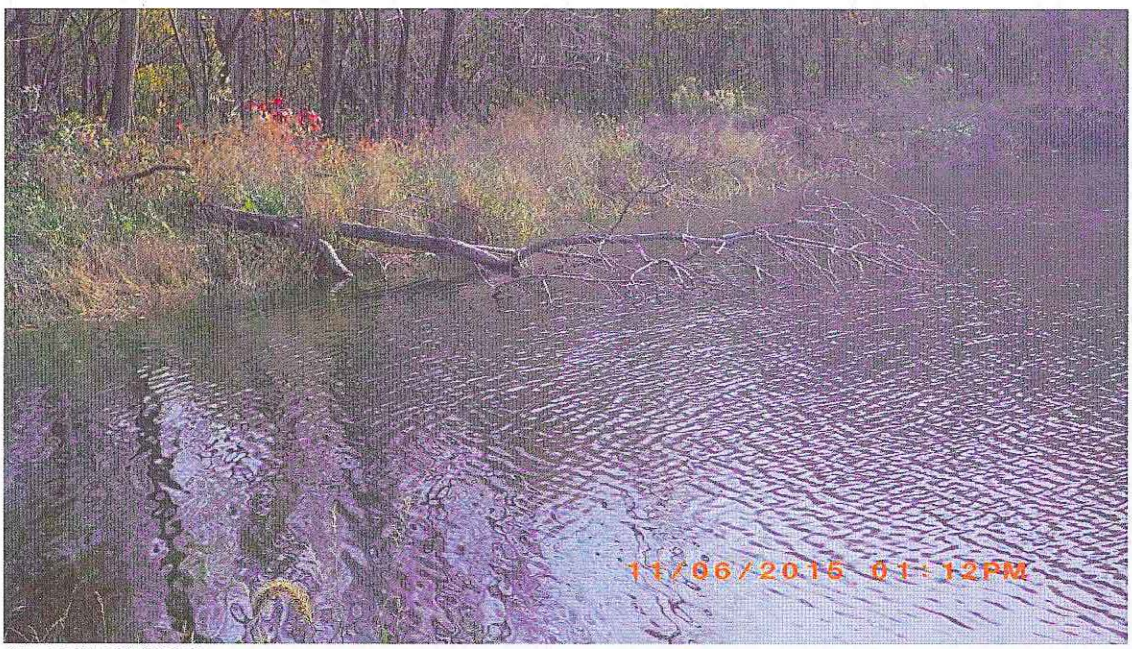
EPA walked south along the west side of the West North Lagoon and then east along the south sides of both lagoons. EPA then came north along the east side of the East North Lagoon. There was approximately 2' of freeboard in the West North Lagoon and approximately 6" of freeboard in the East North Lagoon on the day of the inspection. EPA observed channels cut into the east side of the East North Lagoon berm. This channels could be an indication that the lagoon had overtopped because they were in the location of the lowest point along the berm. EPA also observed trees which had been sawed off, lying across the berm and in the lagoon. Ex. 6 (Personal Privacy) Ex. 6 (Personal Privacy) intended to have the berm reshaped and planned to remove these trees at that time.

EPA completed the walkthrough of the facility by walking west along the south side of Barn #8 and then east along the north side. Spilled feed from the bulk bins had been swept and there was very little spilled feed below any of the bulk bins on the day of the inspection.

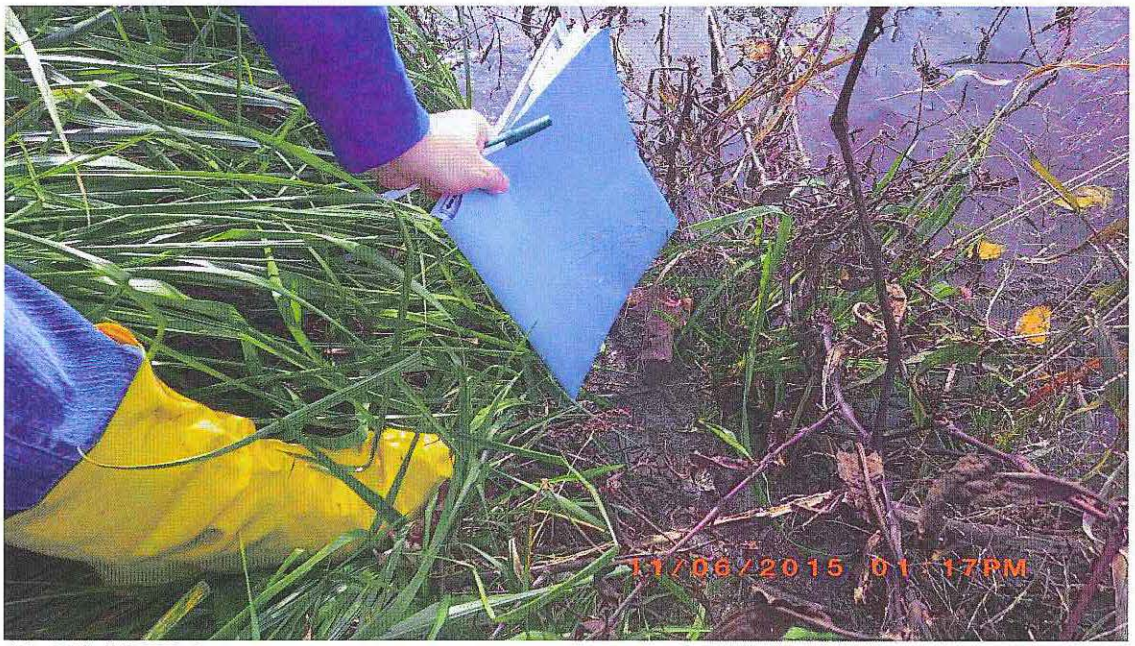
14: RIMG0032
Description: Manure pipes for Barn #8 and Barn #7 to the West North Lagoon.
Location: Northwest corner of West North Lagoon.
Camera Direction: East
Date/Time: November 6, 2015 12:53 P.M.

15: RIMG0033
Description: Cut out area of lagoon berm where pump can be put in to agitate and remove waste.
Location: East side of West North Lagoon.
Camera Direction: Down
Date/Time: November 6, 2015 1:00 P.M.

16: RIMG0034
Description: Cut out area of lagoon where pump can be put in.
Location: East side of West North Lagoon.
Camera Direction: Down
Date/Time: November 6, 2015 1:00 P.M.



17: RIMG0035
Description: South side of East North Lagoon. Trees cut were allowed to fall into lagoon after being cut.
Location: East side of East North Lagoon.
Camera Direction: Southwest
Date/Time: November 6, 2015 1:12 P.M.



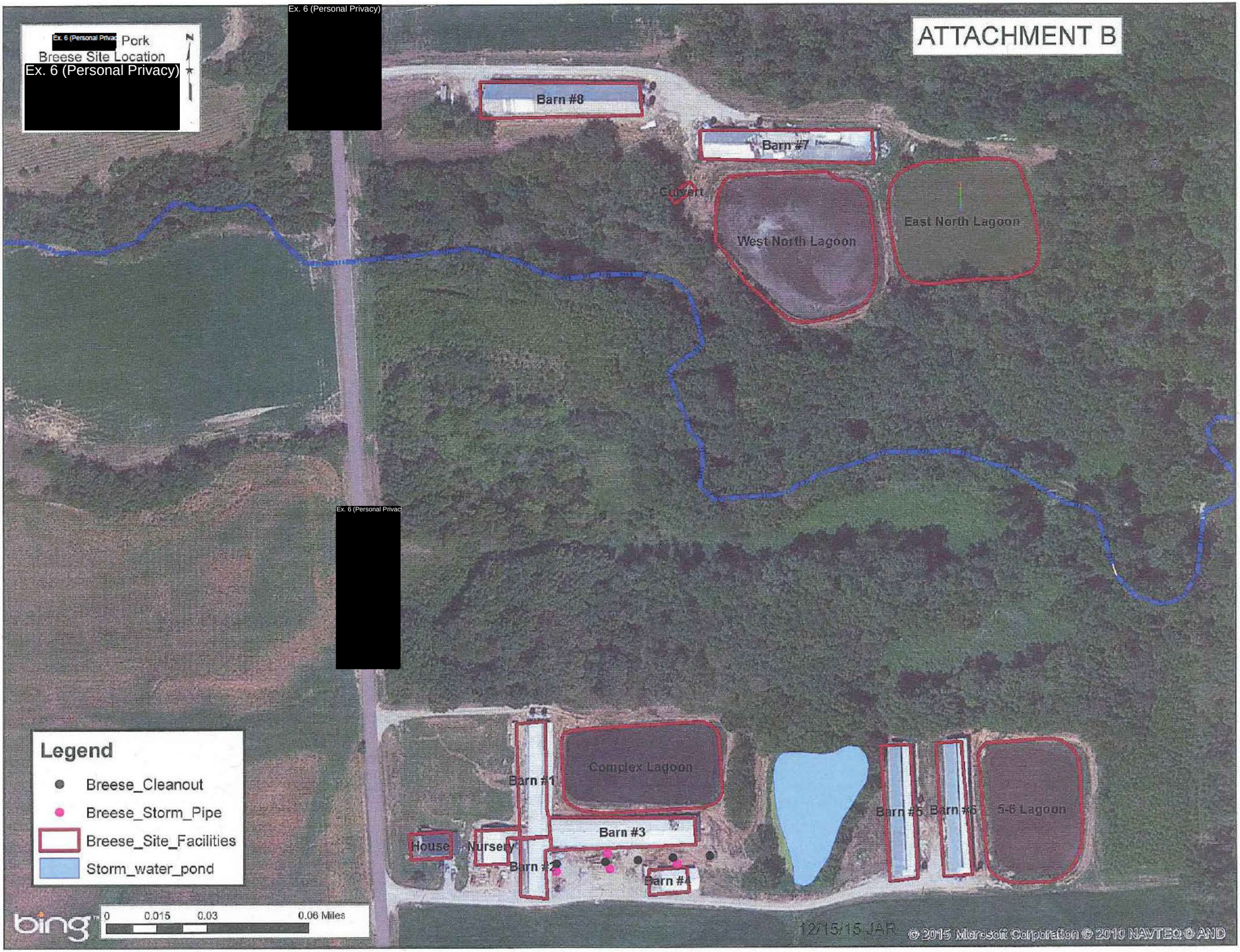
18: RIMG0036
Description: Level of freeboard on east side of East North Lagoon is only 6".
Location: East side of East North Lagoon.
Camera Direction: Down
Date/Time: November 6, 2015 1:17 P.M.

19: RIMG0037
Description: Erosion channel on the east side of the East North Lagoon.
Location: East berm of the East North Lagoon.
Camera Direction: Northwest
Date/Time: November 6, 2015 1:19 P.M.

20: RIMG0038
Description: Erosion channel on the east side of the East North Lagoon.
Location: East berm of the East North Lagoon.
Camera Direction: Northwest
Date/Time: November 6, 2015 1:19 P.M.

21: RIMG0039
Description: Erosion channel on the east side of the East North Lagoon. Channel is under the brush and branches.
Location: East berm of the East North Lagoon.
Camera Direction: Northwest
Date/Time: November 6, 2015 1:20 P.M.

22: RIMG0040
Description: Erosion channel on the east side of the East North Lagoon. Channel is under the brush and branches.
Location: East berm of the East North Lagoon.
Camera Direction: Northwest
Date/Time: November 6, 2015 1:21 P.M.


ATTACHMENT B
Ex. 6 (Personal Privacy) Pork
Breese Site Location
Ex. 6 (Personal Privacy)
Ex. 6 (Personal Privacy)
Ex. 6 (Personal Privac
Barn #8
Barn #7
Culvert
West North Lagoon
East North Lagoon
Barn #1
Complex Lagoon
Barn #3
House
Nursery
Barn #2
Barn #4
Barn #5
Barn #6
5-6 Lagoon
Legend
Breese_Cleanout
Breese_Storm_Pipe
Breese_Site_Facilities
Storm_water_pond
bing
0 0.015 0.03 0.06 Miles
12/15/15 JAR
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